

REMARKS

Reconsideration and allowance of this application are respectfully requested in light of the foregoing amendments and the following remarks.

Claim Status

Claims 1-13 are pending. New Claim 14 is added.

Foreign Priority

Applicant claims the benefit of the instant application's priority date of December 20, 2000.

Obviousness-type Double Patenting Rejection

Claims 1-7, 9, and 13 are rejected, obviousness-type double patenting, in view of Peiffer 401. Claim 8 is rejected, obviousness-type double patenting, in view of Peiffer 401 in further view of Funderburk or Peiffer 440. Claims 10-12 are rejected, obviousness-type double patenting, in view of Peiffer 401 in view of Hibiya. Claims 1 - 13 are rejected, obviousness-type double patenting, in view of co-pending Applications Nos. 10/182,294 and 10/182,317 in view of Peiffer 181.

Peiffer 401 and Application Nos. 10/182,294 and 10/182,317 are disqualified as prior art. 35 USC §103c. ***The instant application and USPN 6,423,401 (Peiffer 401) and US Serial Nos. 10/182,294 and***

*10/182,317 were, at the time of the instant invention was made, owned by Mitsubishi Polyester Film GmbH. Accordingly, USPN Peiffer 401 and the Applications are disqualified as a references against the instant invention. Therefore, the rejections are now moot.*

**\$103 Rejection**

First, Applicant notes that DE '723, DE '725, DE '722, WO 01/60900 (WO '900), WO 01/60610 (WO '610), and WO 01/60613 (WO 01/613) were not received from the PTO with Paper No. 8. Applicant requested those documents, but still has not received them.

Claims 1 - 13 are rejected as unpatentable over DE '723, DE '725, DE '722, WO '900, WO '610, and WO '613. Applicant respectfully disagrees for the reasons set out below.

The references were published after the earliest priority date of the instant application (December 20, 2000) and therefore, they cannot be used as prior art against the instant application.

Moreover, each of these references was published on August 23, 2001 and is owned by Mitsubishi Polyester Film GmbH. These references are disqualified as prior art. 35 USC §103c. *The instant application and DE '723, DE '725, DE '722, WO '900, WO '610, and WO '613 were, at the time of the instant invention was made, owned by Mitsubishi Polyester Film GmbH. Accordingly, DE*

'723, DE '725, DE '722, WO '900, WO '610, and WO '613 are disqualified as a reference against the instant invention. Therefore, the rejections are now moot.

#### Conclusion

In view of the foregoing, Applicant respectfully requests an early Notice of Allowance in this application.

It is not believed that fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional fees are necessary to allow consideration of this paper, the fees are hereby authorized to be charged to Deposit Account No. 50-2193.

Respectfully submitted,



Klaus Schweitzer  
(See attached Limited Recognition Form)  
ProPat, L.L.C.  
2912 Crosby Road  
Charlotte, North Carolina 28211  
Telephone: (704) 365-4881  
Fax: (704) 365-4851

#### **CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on Nov. 24, 2003.

  
Ms. Claire Wygant